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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE: UBER TECHNOLOGIES, INC.,
PASSENGER SEXUAL ASSAULT
LITIGATION

Case No. 3:23-md-03084-CRB

**DECLARATION OF KYLE SMITH
REGARDING SERVICE OF ORDER RE
WITHDRAWAL OF COUNSEL**

This Document Relates to:

A.P. v. Uber Technologies, Inc.,
Case No. 3:23-cv-06357-CRB

J.C. v. Uber Technologies, Inc.,
Case No. 3:24-cv-03965-CRB

T.L. v. Uber Technologies, Inc.,
Case No. 3:24-cv-03966-CRB

K.R. v. Uber Technologies Inc.,
Case No. 3:23-cv-06313-CRB

Judge: Hon. Charles R. Beyer
Courtroom: 6 – 17th Floor

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DECLARATION OF KYLE SMITH

I, Kyle Smith, declare pursuant to 28 U.S.C. § 1746:

1. I am over the age of 18 and am a resident of Arlington, Virginia. I respectfully submit this declaration explaining how Uber served a copy of the Court’s November 18, 2024 Order re: Withdrawal of Counsel, ECF 1878, on Plaintiffs A.P., J.C., T.L., and K.R. (collectively referred to herein as “Plaintiffs”).

2. I am a partner at the law firm of Paul, Weiss, Rifkind, Wharton & Garrison LLP, representing Defendants Uber Technologies, Inc., Rasier, LLC, and Rasier-CA, LLC (“Uber”) in this MDL as well as in Judicial Council Coordination Proceeding No. 5188, *In Re: Uber Rideshare* Cases, Case No. CJC-21-005188. I am a member in good standing of the Bar of the District of Columbia Court of Appeals and the Bar of the State of New York, Appellate Division, Third Department. I make this declaration based upon matters within my own personal knowledge. If called as a witness, I could and would competently testify to the matters set forth herein.

3. Three of the Plaintiffs submitted Plaintiff Fact Sheets providing Uber with physical mailing addresses and email addresses. The remaining Plaintiff, A.P., did not submit a Plaintiff Fact Sheet but filed a Short Form Complaint and Amended Short Form Complaint containing Plaintiff’s city of residence and an Uber Ride Information Form containing Plaintiff’s email address. Uber conducted a public records search and identified a physical mailing address for A.P. located in the city of residence identified in A.P.’s Short Form Complaint and Amended Short Form Complaint.

4. On November 21, 2024 and November 22, 2024, counsel for Uber emailed former counsel for each of the Plaintiffs identifying these physical mailing addresses and email addresses. Uber requested that Plaintiffs’ former counsel inform Uber of any different physical mailing or email addresses to which Uber should send the Court’s Order.

5. On November 21, 2024, former counsel for J.C. and T.L., Nigh Goldenberg Raso & Vaughn, PLLC (“Nigh Goldenberg”), responded to Uber by confirming that the address for Plaintiff J.C. was correct to Nigh Goldenberg’s knowledge and providing an updated physical mailing address for Plaintiff T.L. Nigh Goldenberg did not provide any other corrections to the

1 physical mailing addresses or email addresses identified by Uber for Plaintiffs J.C. and T.L.

2 6. On November 22, 2024, former counsel for A.P., Pulaski Kherkher, PLLC
3 (“Pulaski”), responded to Uber by confirming that the address for Plaintiff A.P. that Uber located
4 through public records searches was accurate according to Pulaski’s records. Pulaski did not
5 provide any corrections to the physical mailing address or email address identified by Uber for
6 Plaintiff A.P.

7 7. On November 22, 2024, former counsel for K.R., Chaffin Luhana LLP (“Chaffin
8 Luhana”), responded to Uber by confirming that Chaffin Luhana was not aware of any different
9 physical mailing addresses or email addresses for K.R. Chaffin Luhana did not provide any
10 corrections to the physical mailing address or email address identified by Uber for Plaintiff K.R.

11 8. On November 22, 2024, counsel for Uber served Plaintiff J.C. with the letter
12 attached to this declaration as **Exhibit A**. Exhibit 2 of that letter contains the Court’s November
13 18, 2024 Order re: Withdrawal of Counsel.

14 9. Counsel for Uber served Plaintiff J.C. with this letter via three different methods
15 on November 22, 2024: (1) producing the letter to J.C.’s MDL Centrality profile, (2) emailing the
16 letter to the email address identified in J.C.’s Plaintiff Fact Sheet, and (3) depositing the letter for
17 delivery via certified mail to the physical mailing address identified in J.C.’s Plaintiff Fact Sheet.

18 10. On November 22, 2024, counsel for Uber served Plaintiff T.L. with the letter
19 attached to this declaration as **Exhibit B**. Exhibit 2 of that letter contains the Court’s November
20 18, 2024 Order re: Withdrawal of Counsel.

21 11. Counsel for Uber served Plaintiff T.L. with this letter via three different methods
22 on November 22, 2024: (1) producing the letter to T.L.’s MDL Centrality profile, (2) emailing the
23 letter to the email address identified in T.L.’s Plaintiff Fact Sheet, and (3) depositing the letter for
24 delivery via certified mail to the updated physical mailing address provided by Nigh Goldenberg.

25 12. On November 22, 2024, counsel for Uber served Plaintiff A.P. with the letter
26 attached to this declaration as **Exhibit C**. Exhibit 2 of that letter contains the Court’s November
27 18, 2024 Order re: Withdrawal of Counsel.

14. On November 22, 2024, counsel for Uber served Plaintiff K.R. with the letter attached to this declaration as **Exhibit D**. Exhibit 2 of that letter contains the Court's November 18, 2024 Order re: Withdrawal of Counsel.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 25, 2024, in Mesa, Arizona.

/s/ Kyle Smith
Kyle Smith